

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:16cv4**

TOSHA MILLS,

Plaintiff,

v.

**CAROLYN W. COLVIN,
Commissioner of Social Security,**

Defendant.

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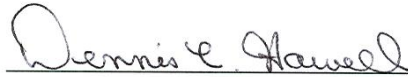
ORDER

Pending before the Court is the Consent Motion for Attorney Fees [# 16]. Plaintiff moves the Court to award attorney's fees paid by the Commissioner of Social Security ("Commissioner") pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. Specifically, Plaintiff moves the Court for an award of \$4,067.00 for full settlement in satisfaction of any and all claims for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). The Commissioner consents to the award of fees in this case.

In light of the Court's prior remand of this matter pursuant to the Consent Motion to Remand, and in the absence of any contention by the Commissioner that her position was substantially justified or that special circumstances exist that would render an award of attorney's fees unjust, the Court concludes that the

Plaintiff is entitled to an award of attorney's fees under the EAJA. Upon a review of the record, Plaintiff's motion, and the relevant legal authority, the Court **GRANTS** the Motion [# 16]. The Court **AWARDS** Plaintiff attorney's fees in the amount of \$4,067.00, which sum is in full satisfaction of any and all claims by the Plaintiff in this case pursuant to 28 U.S.C. § 2412(d). The Commissioner shall send payment to Plaintiff's counsel's office address.

Signed: September 2, 2016



Dennis L. Howell
United States Magistrate Judge

